
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

PURPLE INNOVATION, LLC,

Plaintiff,

v.

RESPONSIVE SURFACE TECHNOLOGY,
LLC; PATIENTECH, LLC; ROBERT
GOLDEN; et al.

Defendants.

**ORDER GRANTING [211]
MOTION FOR EXTENSION OF TIME**

Case No. 2:20-cv-00708-RJS-CMR

Chief District Judge Robert J. Shelby
Magistrate Judge Cecilia M. Romero

Before the court is the Defendants' Motion for Extension of Time (Motion) (ECF 211) to respond to Plaintiff's Motion to Confirm Arbitration Award and Enter Judgment (ECF 203) which was originally due today, April 5, 2024. The court also considers the Plaintiff's Response (ECF 217) as well as Defendants' Reply (ECF 218). Having carefully considered the relevant filings, the court finds that oral argument is not necessary and will decide this matter based on the written memoranda. *See* DUCivR 7-1(g). For the reasons stated herein, the court GRANTS the Motion.

The motion was timely filed prior to the deadline on April 1, 2024. On April 4, 2024, the court also granted a stipulated Motion for Extension of Time in which the parties, pending the resolution of the Motion, agreed to an interim response deadline of April 10, 2024 (ECF 214, 216). Defendants request a two-week extension, or until April 19, 2024, to file their Response to Plaintiff's Motion to Confirm Arbitration Award and Enter Judgment (*id.* at 3).

To support good cause, Defendants cite to the complexity of the issue and present unavailability of staffing (ECF 211 at 3). Defendants also argue they have been timely in seeking

the extension and Plaintiff will not be prejudiced (*id.* at 4). On the other hand, Plaintiff argues it is not opposed to a reasonable extension, but instead raises issues regarding Defendants' ability to dispose or transfer controlled assets while the pending Motion to Confirm the Arbitration Award is decided (ECF 217 at 2). Plaintiff "fears that, given enough time, and without proper protections, there will be nothing left for Purple to collect from Defendants" (*id.*). This issue however is not properly before the court.

"When addressing a motion for extension of time, under Rule 6 of the Federal Rules of Civil Procedure a court may extend the filing deadline if there is 'good cause' to do so." *Jenkins v. Haaland*, No. 221CV00385RJSDAO, 2023 WL 196159, at *3 (D. Utah Jan. 17, 2023); Fed. R. Civ. P. 6(b)(1)(A).

Defendants are presently short-staffed and need additional time to address the issues given the complexity of the issue. Defendants have demonstrated good cause. The parties were able to agree on an interim April 10, 2024 deadline and the Motion requests only 9 more days which the court finds is reasonable. The court hereby GRANTS the Motion and ORDERS that Defendants' deadline to respond to the Plaintiff's Motion to Confirm Arbitration Award is extended to April 19, 2024.

DATED this 5 April 2024.



Magistrate Judge Cecilia M. Romero
United States District Court for the District of Utah